First Named Inventor

Attorney Docket No.

Examiner

Group Art

Hoffman et al.

R. Travers

THUR-001

1617

Sir:

Assistant Commissioner for Patents

Washington, D.C. 20231

This paper is responsive to the Office Communication dated June 18, 2002. In this Office Communication, the Examiner stated that newly submitted Claims 26 to 42 were directed to an invention that is independent or distinct from the invention originally claimed because the claims were directed to treating a host suffering from a condition characterized by an undesirable increase in synaptic responsiveness, while the originally presented claims were directed to inhibiting various cell adhesion molecule cleavage in brain tissue thereby treating various pathologies.

However, Claim 26, which is exemplary of the Claims submitted in the response dated March 4, 2002, reads as follows:

26. A method of treating a host suffering from a pathological condition resulting at least in part from proteolysis of the extracellular domains of cell adhesion molecules, said method comprising:

administering to said host an amount of a serine protease inhibitor effective to treat said host for said condition.

This claim is virtually the same as originally presented Claim 5 which reads as follows:

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5. A method for treating a host for a pathological condition associated with cleavage of cell adhesion molecules in brain tissue, said method comprising:

administering to said host an effective amount of a protease inhibitor.

Contrary to the Examiner's reading of the claims presented in the paper of March 4, 2002, the claims are directed to the same subject matter as the originally filed claims, as can be seen by comparison of the above Claims 26 and 5.

It should be noted that the phrase "undesirable increase in synaptic responsiveness" does not appear in Claims 26 to 42 presented in the March 4, 2002 response. As such, the Examiner's reason for holding the claims presented in the March 4, 2002 response as being directed to a non-elected subject matter does not appear correct.

In view of the above discussion, the Examiner is respectfully requested to withdraw the holding of the Applicants' March 4, 2002 response as non-responsive. Furthermore, the Applicants submit that all of the claims presented in the March 4, 2002 response are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number THUR001.

Respectfully submitted,

BOZICEVIC, FIELD & FRANCIS LLP

Date: July 17, 2002

Bret Field

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